



USPTO Rec'd PCT/PTO 13 JUN 2006

PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

TAKEDA, et al.

Serial No.: 10/555,113

Filed: October 31, 2005

Atty. File No.: 5426JS-3

For: "ARRAY HAVING SUBSTANCES
FIXED ON SUPPORT ARRANGED WITH
CHROMOSOMAL ORDER OR
SEQUENCE POSITION INFORMATION
ADDED THERETO, PROCESS FOR
PRODUCING THE SAME, ANALYTICAL
SYSTEM USING THE ARRAY AND USE
OF THESE"

) Group Art Unit:
)
)
) Examiner:
)
)
)
)
)
)

CERTIFICATE OF MAILING	
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON <u>June 9, 2006</u>	
BY:	SHERIDAN ROSS P.C. <i>Brenda Carpenter</i>

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The references cited on attached Form PTO-SB08 are being called to the attention of the Examiner.

- Copies of the cited non-patent and/or foreign references are enclosed herewith.
- Copies of the cited U.S. patents and/or patent applications are enclosed herewith.
- Copies of the cited U.S. patents/patent application publications are not enclosed in accordance with 37 C.F.R. § 1.98(a).
- Copies of the cited references are not enclosed, in accordance with 37 C.F.R. § 1.98(d), because the references were cited by or submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____ filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.
- To the best of applicants' belief, the pertinence of the foreign-language references are

believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. _____ filed _____

Serial No. _____ filed _____

Other: International Search Report for PCT Application No. PCT/JP2004/006284.

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or<input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or<input checked="" type="checkbox"/> Before the mailing date of a first Office Action on the merits, or<input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(e): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ul style="list-style-type: none">(1) a final action under 37 C.F.R. 1.113 or(2) a notice of allowance under 37 C.F.R. 1.311, or(3) an action that otherwise closes prosecution in the application. <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. OR<input type="checkbox"/> Please charge Deposit Account 19-1970 in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account 19-1970.

37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).

This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)
AND

Applicants hereby requests consideration of the reference(s) disclosed herein. Please charge Deposit Account 19-1970 in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

The undersigned certifies that:

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

A copy of the communication from the foreign patent office is enclosed.

OR

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By:

Joseph E. Kovarik
Registration No. 33,005
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(303) 863-9700

Date: 6/7/06



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheets 1 of 2

1 of 2

Complete if Known	
Application Number	10/555,113
Filing Date	October 31, 2005
First Named Inventor	TAKEDA
Art Unit	
Examiner Name	
Attorney Docket Number	5426JS-3

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-kind Code ^{2 (if known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,420,108	07-16-2002	David Mack et al.	
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ ; Number ⁴ ; Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		JP - 2002-291474	10-08-2002	Japan Science and Technology Corp.		
		EP - 1026258	08-09-2000	Affymetrix, Inc.		
		EP - 1037158	09-20-2000	Whitehead Institute for Biomedical Research		
		WO - 01/16860	03-08-2001	Iris Bio Technologies, Inc.		
		JP - 2004-030093	01-29-2004	Hitachi Ltd.		
		JP - 2002-175305	06-21-2002	Biomolecular Engineering Research Institute		
		JP - 2003-004739	01-08-2003	Takara Bio Inc, et al		

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner Initials*	Cite No. ¹	Other Art Description
		Supervised by Yoshihide HAYASHIZAKI "Daikibo Genome Kaiseki Gijutsu to Post Sequence Jidai no Idensi Kino Kaiseki Kihon Technique Kara Bio Informatics, Micro Array Made" 2001 Nen, Nakayama- Shoten Co., Ltd., pp. 213-221
		Dunbar, A.S., et al., "Application of the Luminex LabMAP in rapid screening for mutations in the cystic fibrosis transmembrane conductance regulator gene: A pilot study", Clinical Chemistry, 2000, vol. 46, pp. 1498-1500
		Supervised by Takuji SASAKI et al., Cell Technology separate volume, Shokubutsu Saibo Kogaku Series 14, "Shokubutsu no Genome Kenkyu Protocol Saishin no Genome Joho to sono Riyoho", 2001 nen, Shujunsha Co., Ltd., p. 114
		Steinmetz, L.M., et al., "Dissecting the architecture of a quantitative trait locus in yeast", Nature 2002, vol. 416, pp. 326-330

Examiner Signature	Date Considered

*EXAMINER: Initial if reference is considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 2

of 2

<i>Complete if Known</i>	
Application Number	10/555,113
Filing Date	October 31, 2005
First Named Inventor	TAKEDA
Art Unit	
Examiner Name	
Attorney Docket Number	5426JS-3

	Matsubara, K. et al., "Genome Functions, Expression Profile and Transcriptome", September 13, 2000, pp. 2-9
	Schena, M. et al., "Genes, genomes, and chips" DNA Micro Array, pp. 1-16
	Hayashizaki, Y. et al., "DNA Micro Array Practical Manual for Successful Data Acquisition, Basic Principle, from Chip Fabrication to Bioinformatics", December 1, 2000, pp. 13-16
	Knudsen, S., "A Biologist's Guide to Analysis of DNA Microarray Data" pp. 1-14
	Takeda, K. et al., "Establishing the Testing Method and a Search for the Resistant Varieties to Fusarium Head Blight in Barley", Japan J. Breed, 39, 1989, pp. 203-216
	Bowtell, D. et al., "DNA Microarrays", 2003, pp. 15-19
	Schena, M. "Microarray Analysis", 2003, pp. 1-25

Examiner Signature		Date Considered	
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